



IFU
Serial No.: 10/773,242
Docket No. 956-1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Applicants: Hong-jik DOO

Confirmation No.: 7168

Application Serial No.: 10/773,242

Customer No.: 38209

Docket No.: 956-1001

Filed on: February 9, 2004

For: PERSONAL THERMOTHERAPY INSTRUMENT

Attn: Office of Petitions
Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

**PETITION FOR GRANT OF FILING DATE OF DATE APPLICATION WAS
DEPOSITED AT THE U.S.P.T.O.**

Sir:

The enclosed copy of Notice of Incomplete Nonprovisional Application under 37 C.F.R. 1.53(b) states that Application Serial No. 10/773,242 was deposited without drawings, and therefore a filing date has NOT been accorded to this application, and that a newly executed oath or declaration covering the items must be submitted within two months of the date of the Notice.

However, Applicants hereby petition that Application Serial No. 10/773,242 is entitled to a filing date of February 9, 2004 for the reason that this application was in fact deposited (filed) on February 9, 2004 with ten pages of drawings, including FIGURES 1-10. The Brief Description of Drawings section of this application at pages 3-4 discloses in detail each of FIGURES 1-10 that accompany this application, and the filing Postcard and the Utility Patent Application Transmittal forms deposited with Application Serial No. 10/773242 on February 9, 2004 (a copy of each enclosed herewith) each list the FIGURES 1-10 that accompanied this application filed on February 9, 2004.

Enclosed herewith are copies of the following documents filed on February 9, 2004, together with Application Serial No. 10/773,242.

07/30/2004 HLE333 00000015 10773242

01 FC:1460

130.00 OP

1. Postcard
2. Utility Patent Application Transmittal
3. Drawings (including FIGURES 1-10)
4. Copy of the Notice of Incomplete Nonprovisional Application under 37 C.F.R. 1.53(b)

Accordingly, Applicants respectfully request that the Drawings submitted on February 9, 2004 (also included herein) be a part of this application, and that a filing date of February be accorded to this Application Serial No. 10/773,242.

This submission of the Drawings (FIGS. 1-10) in response to the Notice of Incomplete Nonprovisional Application under 37 C.F.R. 1.53(b) is not due to any error by the Applicants, and therefore Applicants respectfully further request a refund of the petition fee of \$130.00, which can be applied to our **Deposit Account Number 502827**.

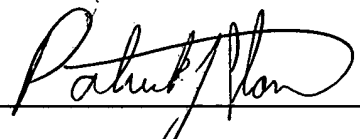
Respectfully submitted,

STANZIONE & KIM, LLP

Date: July 29, 2004

1740 N Street, N.W., First Floor
Washington, D.C. 20036
Telephone: (202) 775-1900
Facsimile: (202) 775-1901

By: _____


Patrick J. Stanzone
Registration No. 40,434